

Via: " Prisoner's Mail Box Act " on

4-8-23 + 5-31-23 (PR)

CC's TO:

FILED

enclosure[s] : Record-Based-Evidence > APPENDIX A (Exhibit B2); Exhibit B4; and Exhibit D4

JUN - 6 2023

ATTN: CLERK C. BOSCH

Please kindly direct this to

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

IN THE UNITED STATES DISTRICT COURT - Western District

> ATTN: JUDGE J. NICHOLAS RANJAN (in RE: No.: 2-22-cv-1391 - NR)

APPLICATION TO JOINER AS I.F.P. CO-PLAINTIFF in RE: No. 2-22-cv-01391 NR

AND NOW, comes PHILLIP REHWALD, Pro Se, respectfully in application for Co-Plaintiff Status in RE: No. 2-22-cv-01391 - NR, with good conscience requiring identical US CONSTITUTION 14TH Amendment Due Process Protection [Right To Redress] for his salient Non-curable " Dead-head " (caput mortuum) " declared " Absolute Nullity ", in that, Applicant never was afforded no-not-one SCOTUS Criminal Law § 100.5 (3) Gagnon 1 Preliminary Hearing at CC: CP02CR-0006354-2015 [Judge Jill E. RANGOS] Allegheny County Court Of Common Pleas, 5th Judicial District; directly resulting in Applicant's CURRENT UNLAWFUL CONFINEMENT at SCI Greene Prison, Waynesburg, Pa. (See: _____); as follows :

1. Because Applicant was hampered by repeated " extraordinary circumstance[s] [that] stood in his way " (Holland V. Florida, 560 US (2010)) (holding " extraordinary circumstance[s] stood in his way " , Applicant asserts his right to " Equitable Tolling " Doctrine providing that Pennsylvania State [tolled] Statute Of Limitation[s] in this instant case cannot bar (see: 329 S.W. 2d 39,43) his meritorious claim with replete and over-ripe Record-Based-Evidence; as good cause shown with his timely filing[s] (See: enclosures APPENDIX A & Exhibit[s] B4 & D4) - demonstrating full use of required due diligence - whereby Applicant " did not and/or could not discover the injury until after the expiration of the limitation period ", due to multiple [I.A.C.] lawyer[s] error[s] (estoppel by acquiescence) occurring " even on appeal " as held by NEW Precedent Case Law: Com of Pa V. Bradley, SCOPA, (2021) (upholding Bradley, SCOPA (2021) by " Federal Erie Doctrine ") - and See Also: Applicant's Nunc-Pro-Tunc Direct Appeal [pending] at No. : # 994-WDA-2022 Pa Super - W.D. ;

2. J. Jill E. RANGOS, to wit: erred, employing sanctioning of [Applicant PHILLIP REHWALD's] identical " No-Lift Detainer Policie[s] " with her repeated " inaction[s] " of " categorically refusing to recommend a detainer lift ", mirroring Applicant's [former J. Donna Jo McDaniel's [" forced " into resignation for over-sentencing S.O.'s including Applicant Phillip Rehwald - KDKA TV News) trademarked identical " inaction[s] " of the very same - and that, in concert with Allegheny County Probation Department, et. al. & in concert with Allegheny County Public Defender's Office, et. al. multiple [I.A.C.'s] : Applicant never was afforded no-not-one SCOTUS Criminal Law § 100.5 (3) Gagnon 1 Preliminary Hearing at CC: CP02CR-0006354-2015 [RANGOS] before SCOTUS' required " Independant Decisionmaker " LIAISON Mr. Bill Mystik (sic) Allegheny County Probation Department; with Record-Based-Evidence[s] : (J. Rangos positively knew there was no-not-one required NOTICE of Gagnon 1 Preliminary Hearing (no legal mail signed for by Phillip Rehwald in ACJail) ; no waiver form executed; and certainly no-not-one required TRANSCRIPT specifically encaptioned as: " Gagnon 1 Preliminary Hearing " and that, with TWO (2) Illegal Detainer[s] for TWO (2) separate alleged County Technical Violation[s] in 2017 & 2019 (see: enclosure[s]) ;

3. Good conscience also requires employment of similar Fed R.C.P. 15 (C) Relation Back Doctrine to timely enclosure[s] with it's " effect especially to avoid a time limit " (Barron's Law Dictionary) .

✓ p. 1 of 2, (PR) Continued on very side, this doc →
P.R.

WHEREFORE, Applicant respectfully petitions this Honorable Court to:

A. GRANT JOINDER As CO-PLAINTIFF; B. EXTEND [TOLL] THE STATUTE OF LIMITATIONS TOLL RELATING BACK TO APR 11, 2019 PM 3:30 timely 1st opportunity to preserve claim; and C. GRANT [I.F.P.] Ina Forma Pauperus Status consistent with current I.F.P. Status in RE: No. 2-20-cv-689 USDC-WD Phillip Rehwald V. Zaken, et. al. & in RE: No.: 994-WDA-2022 Pa Super - W.D (pending)

VERIFICATION & I.F.P. Statement

I, PHILLIP REHWALD , the undersigned state there have been no changes in my finances relating to I.F.P., and that all statements here-in are true and correct to the best of my knowledge and ability.

Respectfully submitted,

x Phillip Rehwald 4-8-23

PHILLIP REHWALD, Pro Se

NX 8693

Sci Greene

Waynesburg, Pa. 15370-8090